

**NOTICE OF PROPOSED RULE
2014**

**RULE NO.: R161-14.10
POSTING DATE: January 14,**

The Director of the Planning and Development Review Department proposes to adopt the following rule after February 15, 2014.

Comments on the proposed rule are requested from the public. Comments should be submitted to Sylvia Arzola, 505 Barton Springs Road, Suite 500, (512), 974-6448. To be considered, comments must be submitted before February 15, 2014, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

EFFECTIVE DATE OF PROPOSED RULE

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before February 15, 2014 (the 32nd day after the date of this notice) or not after April 14, 2014 (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before April 14, 2014, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Planning and Development Review Department, located at 505 Barton Springs Road, Suite 500; and

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

‘BRIEF EXPLANATION OF PROPOSED RULE

Rule R161-14.10: Deletion to Appendix P-5 in the Environmental Criteria Manual (ECM); P-5, requires notes on all plats, but these plat notes are only applicable in certain situations. In an effort to simplify plat requirements, ECM Appendix P-5 is being deleted in its entirety. In some circumstances, plat notes will be required (i.e., for property located over the Edwards Aquifer Recharge Zone or if CEFs are present). If plat notes are required, Staff will advise Applicants of this in the Staff comment report on a case-by-case basis.

AUTHORITY FOR ADOPTION OF PROPOSED RULE

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate the design and maintenance of water quality controls is established in Section 25-8-213 (*Water Quality Control Standards*) and 25-8-231 (*Water Quality Control Maintenance and Inspection*) of the City Code.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule R161- 14.10, the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEW AND APPROVED

Greg Guernsey, Director
Planning and Development Review Department

Date: _____

Karen M. Kennard
City Attorney

Date: _____

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